

RULES AND PRACTICES OF THE SUPREME COURT AND BOARD OF BAR EXAMINERS OF THE STATE OF RHODE ISLAND GOVERNING ADMISSION TO THE BAR

Practices of Board of Bar Examiners State of Rhode Island

The rules of the Supreme Court of Rhode Island governing admission to the Bar are herein set forth for the information of interested persons.

Examinations are generally held on the last Tuesday and Wednesday in February and July. All applications must be filed by December 1, and May 1, respectively. Application fees are non-refundable.

Any applicant for the bar examination shall be required to have obtained a Multi-State Professional Responsibility Examination (MPRE) scaled score of 80 in order to be eligible to sit for the Rhode Island bar examination. This score is good for two years from the date the MPRE was taken. It is the responsibility of the applicants to have their score forwarded to the Clerk, R.I. Supreme Court, prior to the filing of their applications.

THIS RULE DOES NOT APPLY TO ARTICLE II, RULE 2 ATTORNEY ADMISSIONS.

Examinations consist in part of essay type questions and in part of objective type questions provided by the Multi-State Bar Examination Program sponsored by the National Conference of Bar Examiners. Essay questions will include the following subjects, assuming as well, a general knowledge of the law: Agency, Partnership, Corporation, Civil Practice, Probate, Wills, Trusts, Conflict of Laws, Creditors Rights, Uniform Commercial Code, Domestic_Relations and Equity. Multi-state multiple choice (or 'objective type') questions include Contracts, Criminal Law, Evidence, Real Property, Torts, and Constitutional Law.

Content

Examinations will be administered on two consecutive days. There will be two three-hour sessions on each day.

On one day, one three-hour session will consist of one Multi-State Performance Test (MPT) problem prepared by the National Conference of Bar Examiners and three essays prepared by the Board of Bar Examiners. The other session of the same day will consist of six essays prepared by the Board of Bar Examiners.

The MPT problem will not exceed 90 minutes, shall not require specialized subject matter knowledge and shall include all of the resource materials necessary to prepare an essay response to the problem.

The essays prepared by the Board of Bar Examiners may cover all or some of the following general areas: Business Entities (Corporations, Partnerships, Limited Liability

Companies, etc.); Civil Practice and Procedure, including Equity; Probate, Wills and Trusts; Conflict of Laws; Sales, Commercial Paper, Secured Transactions and Creditors' Rights; and Domestic Relations.

On the other day, the Multi-State Bar Examination (MBE), prepared by the National Conference of Bar Examiners, will be administered in two three-hour sessions. The multiple choice questions on the MBE cover Contracts, Criminal Law, Evidence, Real Property, Torts and Constitutional Law.

Grading

The MBE examinations are graded by the National Conference of Bar Examiners on a scaled scoring system with scores ranging from 0 to 200. A scaled score of 130 on the MBE portion of the examination shall be required to pass the bar examination, and graders will not read the essay or MPT responses of any candidate whose scaled score on the MBE is lower than 130.

Each of the essay and MPT answers shall be graded on a six-point scale, with 6 being the highest score and 0 being the score if the applicant did not submit an answer or if the answer is totally irrelevant. Each MPT score shall be multiplied by two so as to be weighed the same as two essay responses, and the applicant's MPT and essay scores shall be aggregated. The maximum raw score for the MPT and essay answers shall be 66 (9 X 6 on the essays and 2 X 6 on the MPT problem). The aggregate scores shall then be scaled against the MBE scores of the Rhode Island applicants (ignoring those Rhode Island applicants whose scaled score on the MBE was lower than 130). The scaled scores of the MBE, essays and MPT will then be totaled. A resulting score of 276 shall be required to pass the examination.

Rule 2 Admissions

Candidates for admission under Rule 2 shall be required to take only the essay and MPT portions of the examination. The raw scores of these candidates will be scaled to the MPT and essay scores of the candidates taking both parts of the examination, and a scaled score of 138 will be required to pass the examination.

General Information

The Training Course referred to in Article II, Rule 1 (e)(i) is not intended as a preparatory course of instruction for the bar examination and is offered by the R.I. Bar Association. The Bar Association arranges the schedule and they will contact the applicant by mail with the necessary information.

Candidates who fail an examination may file a request, in writing, with the Clerk of the Supreme Court for a conference with a member of the Board of Bar Examiners to review his/her answers and grades.

All candidates must appear, when notified, for a personal interview with a member of the Committee on Character and Fitness. The candidate must bring to the interviewer his/her diploma or certificate of law school graduation. This will only be required if prior to

your interview the Certificate of Dean of Law School has not been forwarded to the Committee.

Where a candidate has requested permission to take the Multi-State (MBE) part of the examination in a state other than Rhode Island, it will be the responsibility of the candidate to arrange with that state for the forwarding of Multi-state examination results to the Rhode Island Board. Candidates may request the National Testing Center to have their Multi-State Examination (MBE) results forwarded directly to other states. Information should include Total Scaled Score.

Examinations are conducted in complete conformity with the Code of Recommended Standards for Examiners prepared by the American Bar Association Section on Legal Education and Admission to the Bar. This code provides, among other recommendations, for non-identity grading by number, grading of all answers for each question by the same Examiner, and post- examination conferences.

The above Section of Legal Education and Admission to the Bar generally advises that an examination should test ability to reason logically, analyze problems correctly and show a thorough knowledge of the basic principles of the law and their relationship to a specific fact situation or situations.

A candidate will be required to demonstrate that his/her immediate purpose in taking the examination is to make the practice of law in this state, or teaching of law related subjects whether in or outside of this state, his/her principal occupation.

Candidates who are graduates of a law school in a country other than the United States will be required to demonstrate to the Board that said law school and further professional training accompanying the same meet the standards of law schools accredited or approved by the American Bar Association and approved by the Board. The candidate will be required to have an American Bar Association accredited law school certify that said foreign law school meets this standard. The Board may require, in its discretion, further training in an American Bar Association approved school.

There is no requirement for registration by law students.

All applications of bar applicants will be destroyed either (a) seven (7) years from date of admission or (b) five (5) years from the last examination taken.

POLICY ON SPECIAL TESTING ACCOMMODATIONS

It is the policy of the Board of Bar Examiners that the bar examination will be administered to all eligible applicants in a manner that does not discriminate against physically handicapped and special needs applicants.

Any applicant desiring special testing arrangements shall petition the Board at least ninety (90) days prior to the subject examination setting forth his/her impairment and what special arrangements are desired by the applicant. If the Board of Bar Examiners, after hearing, determines that the request for handicap or special needs arrangements has been substantiated, the request shall be granted and the appropriate arrangements shall be provided.

The applicant must attach to his/her petition the following:

1. His/her physician's documentation of the impairment, describing the applicant's limitations and specific recommended needs of the applicant; and
2. Letter from the Dean of the law school setting forth its procedure for testing the applicant and whether or not extra time was allowed for examination.

The Multi-State Bar Examination is available in large type and Braille for those applicants requiring such a format.

The English language shall be the language of the bar examination, as it is the language used throughout the Rhode Island Judicial System.

All inquires concerning the nature of the practice of law in Rhode Island or the availability of privately conducted preparatory courses for the Rhode Island Bar Examination should be addressed to:

Ms. Helen Desmond McDonald, Executive Director
Rhode Island Bar Association
115 Cedar Street
Providence, Rhode Island 02903
(401) 421-5740

All other inquiries should be addressed to:

Clerk of the Supreme Court
Frank Licht Judicial Complex
250 Benefit Street
Providence, Rhode Island 02903
Chairman, Board of Bar Examiners
(401) 222-4233

TEMPORARY RULE OF PRACTICE AND PROCEDURES OF RHODE ISLAND BOARD OF BAR EXAMINERS PROPOSED REVISIONS TO CONTENT AND GRADING

The following Temporary Rule will govern the content and grading of bar examinations beginning with the July 2006 examination through the February 2008 examination. The Board of Bar Examiners invites written comments on this Temporary Rule and the use on a permanent basis of the six (6) Multi-State Essay Examination (MEE).

As a result, the Rhode Island Bar Examination would consist of one day of the Multi-State Bar Exam, and a second day consisting of one Multi-State Practice Test problem, representing two essay questions; six MEE essay questions; and three essay questions originated and corrected by members of the Board of Bar Examiners.

The Multi-State Essay Examination will consist of six questions drawn from a number of subject matters which include the following: Agency and Partnership; Commercial Paper (negotiable interests); Conflict of Laws; Corporations and Limited Liability Companies; Decedents' Estates; Family Law; Federal Civil Procedure; Sales; Secured Transactions; and Trusts and Future Interests. This portion of the examination is administered in one three-hour session, which is timed for the afternoon in the Central and Eastern Time Zones on the Tuesday before the last Wednesday in February and July.

The number of locally generated essay questions will now be three. These three questions will be prepared and graded by members of the Board based upon subject matter questions which are not included in the MEE examination and which are within the standard statutory authorization for subject matter controlling this Board.